

# MEMO

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**DATE:** July 7, 2005

**TO:** The Regional Council  
The Community, Economic and Human Development Committee  
The Energy and Environment Committee  
The Transportation and Communications Committee

**FROM:** Charlotte Pienkos, Government Affairs Analyst  
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**SUBJECT:** State and Federal Legislative Matrix

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Since the June meeting of the Regional Council, the State Legislature has resumed its policy committee hearings and turned its attention to the state budget. As of this writing on June 16<sup>th</sup>, the State Legislature has passed a budget conference report and submitted the budget to a vote, but the budget was not passed by its June 15<sup>th</sup> constitutional deadline. Democrats have characterized their budget as substantially similar to the Governor's, but Republicans protest there are key differences. Both versions continue to contain a full \$1.3 billion funding of Proposition 42, as well as a \$1 million appropriations for RHNA work in 2005, presumably to be shared by SCAG and ABAG in the Bay Area.

In Congress, the current extension is slated to expire on June 30<sup>th</sup>. In the meantime, the conference committee continues work on the reauthorization of TEA-21. SCAG participated in a Washington, D.C. visit to Capitol Hill to press one more time for a fair and adequate reauthorization. Many differences remain unresolved in the conference committee. Government Affairs will update you at the July 7<sup>th</sup> meeting of any developments.



**Private file: Transit**

CA AB 948      **AUTHOR:** Oropeza (D)  
**TITLE:** Design-Build and Transit Operators  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/18/2005  
**LAST AMEND:** 04/13/2005  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Transportation and Housing Committee  
**HEARING:** 06/21/2005 1:30 pm  
**SUMMARY:**  
 Specifies that a transit operator is required to establish a labor compliance program only for a design-build contract and only if the transit operator does not already have a labor compliance program. Changes the prohibition regarding design-build rail projects to instead prohibit a transit operator from utilizing the design-build method of procurement for a capital maintenance or capacity-enhancing rail project, unless that project costs more than specified amount.  
**STATUS:**  
 06/02/2005      To SENATE Committee on TRANSPORTATION AND HOUSING.  
**Subject:** Transit, Transport

**Private file: Transportation**

CA AB 245      **AUTHOR:** Walters (R)  
**TITLE:** County Design-Build Contracts  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/07/2005  
**LAST AMEND:** 06/08/2005  
**DISPOSITION:** Pending  
**LOCATION:** Senate Local Government Committee  
**SUMMARY:**  
 Authorizes Orange County, until December 1, 2011, to enter into specified design-build contracts.  
**STATUS:**  
 06/15/2005      In SENATE Committee on LOCAL GOVERNMENT: Not heard.  
**Subject:** LocGov, Transport

CA AB 267      **AUTHOR:** Daucher (R)  
**TITLE:** Transportation Projects  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/08/2005  
**LAST AMEND:** 06/01/2005  
**DISPOSITION:** Pending  
**LOCATION:** Senate Transportation and Housing Committee  
**SUMMARY:**  
 Amends existing law which authorizes a regional or local entity that is the sponsor of, or is eligible to receive funding for, a project contained in the state transportation improvement program to expend its own funds for any component of a project within its jurisdiction that is included in an adopted state transportation improvement program, and for which the commission has not made an allocation. Limits these provisions to projects advanced for expenditure that are programmed in the current fiscal year.  
**STATUS:**  
 06/15/2005      To SENATE Committee on TRANSPORTATION AND HOUSING.  
**Subject:** Revenue/Bond, Transport

CA AB 453      **AUTHOR:** Benoit (R)  
**TITLE:** Grade Separation Projects  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/15/2005  
**LAST AMEND:** 03/29/2005  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Transportation and Housing Committee  
**HEARING:** 06/21/2005 1:30 pm

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**SUMMARY:**

Requires, in order for an allocation for construction costs or for preconstruction costs for grade separation projects, if not already allocated, to be made, that a local agency furnish evidence satisfactory to the Department of Transportation that all matters prerequisite to the award of a construction contract can be accomplished within two years of the allocation.

**STATUS:**

06/09/2005

To SENATE Committee on TRANSPORTATION AND HOUSING.  
Transport

CA AB 489

**AUTHOR:**

Bermudez (D)

**TITLE:**

Ports: Transportation Network

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/16/2005

**LAST AMEND:**

05/24/2005

**DISPOSITION:**

Pending

**LOCATION:**

Senate Appropriations Committee

**SUMMARY:**

Requires the Port of Los Angeles and the Port of Long Beach to provide reports relative to utilization of and congestion at ports on January 1, 2006, and annually thereafter through 2008.

**STATUS:**

05/24/2005

In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

**Subject:**

Transport

CA AB 556

**AUTHOR:**

Gordon (D)

**TITLE:**

Airports: Noise Impacts

**INTRODUCED:**

02/16/2005

**LAST AMEND:**

06/15/2005

**DISPOSITION:**

Pending

**COMMITTEE:**

Senate Transportation and Housing Committee

**HEARING:**

06/21/2005 1:30 pm

**SUMMARY:**

Prohibits the Department of Airports of the City of Los Angeles from operating an airport having a noise impact area unless the department has applied for, and received from the Department of Transportation, a variance from noise standards for a period not exceeding 3 years, in accordance with prescribed procedures. Authorizes the department, upon granting the variance, to impose reasonable conditions to achieve the purpose of attaining a level of acceptable noise. Provides for noise monitoring.

**STATUS:**

06/15/2005

From SENATE Committee on TRANSPORTATION AND HOUSING with author's amendments.

06/15/2005

In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION AND HOUSING.

**Subject:**

Transport

CA AB 1157

**AUTHOR:**

Frommer (D)

**TITLE:**

State Highways: Performance Measures

**INTRODUCED:**

02/22/2005

**LAST AMEND:**

04/11/2005

**DISPOSITION:**

Pending

**LOCATION:**

Senate Transportation and Housing Committee

**SUMMARY:**

Requires the Department of Transportation to develop specified performance measures to establish an evaluation and rating of the overall quality of the state highway system. Requires an annual report to the Legislature in that regard.

**STATUS:**

06/09/2005

To SENATE Committee on TRANSPORTATION AND HOUSING.

**Subject:**

Transport

CA AB 1406

**AUTHOR:**

Karnette (D)

**TITLE:**

Ports and Harbors: Freight Security Fee

**INTRODUCED:**

02/22/2005

**LAST AMEND:**

05/27/2005

**DISPOSITION:**

Pending

**COMMITTEE:** Senate Governmental Organization Committee**HEARING:** 06/28/2005 9:30 am**SUMMARY:**

Requires the Office of Homeland Security to establish a grant program to fund proposals from public and private entities to improve freight security at the state's ports and harbors, to the extent that funding is provided in the annual Budget Act for this purposes. Requires the office to provide a report to the Governor and Legislature regarding administrative actions needed to facilitate implementation and appropriate funding sources for grants.

**STATUS:**

06/09/2005

To SENATE Committee on GOVERNMENTAL ORGANIZATION.

**Position:**

SCAG-Watch 05/05/2005

**Subject:**

Revenue/Bond, Transport

CA AB 1699

**AUTHOR:**

Frommer (D)

**TITLE:**

Transportation: Highway Construction

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/22/2005

**LAST AMEND:**

05/27/2005

**DISPOSITION:**

Pending

**LOCATION:**

Senate Transportation and Housing Committee

**SUMMARY:**

Authorizes transportation agencies administering local voter-approved transportation sales tax measures to use a specified design-build process for bidding of a maximum of 8 state highway construction projects with a certain total cost, with the projects to be selected by the Transportation Commission. Requires bidders to provide certain information. Requires design-build bidders to provide certain information in a questionnaire submitted to the transportation agency.

**STATUS:**

06/15/2005

To SENATE Committee on TRANSPORTATION AND HOUSING.

**Subject:**

Transport

CA ACR 23

**AUTHOR:**

Garcia (R)

**TITLE:**

Intrastate Trucking: Traffic Congestion

**FISCAL COMMITTEE:**

yes

**URGENCY CLAUSE:**

no

**INTRODUCED:**

02/22/2005

**LAST AMEND:**

05/26/2005

**DISPOSITION:**

Pending

**COMMITTEE:**

Senate Transportation and Housing Committee

**HEARING:**

06/21/2005 1:30 pm

**SUMMARY:**

Urges the regional transportation agencies to examine the flow of traffic to develop commercial trucking routes that would provide for the most direct movement through a city and a county in order to reduce the time that trucks are in city limits and county areas and the level of pollution that is created. Urges city and counties to incorporate this process as part of the revisions to their general and specific plans.

**STATUS:**

06/09/2005

To SENATE Committee on TRANSPORTATION AND HOUSING.

**Subject:**

AirQuality, Transport

CA SB 45

**AUTHOR:**

Alarcon (D)

**TITLE:**

Intermodal Marine Terminals

**FISCAL COMMITTEE:**

no

**URGENCY CLAUSE:**

no

**INTRODUCED:**

01/05/2005

**LAST AMEND:**

06/14/2005

**DISPOSITION:**

Pending

**COMMITTEE:**

Assembly Transportation Committee

**HEARING:**

06/20/2005 1:30 pm

**SUMMARY:**

Prohibits an intermodal marine equipment provider or marine terminal operator from imposing per diem, detention charges, or demurrage charges, on an intermodal motor carrier relative to transactions involving cargo shipped by intermodal transport under certain circumstances.

Prohibits an intermodal marine equipment provider from terminating, suspending or restricting

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equipment interchange rights of a motor carrier for specified reasons and from charging back per diem charges from the freight bill.

**STATUS:**

06/14/2005 From ASSEMBLY Committee on TRANSPORTATION with author's amendments.

06/14/2005 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.

**Subject:** Transport

CA SB 53

**AUTHOR:** Kehoe (D)  
**TITLE:** San Diego County Regional Airport Authority  
**INTRODUCED:** 01/10/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Local Government Committee  
**SUMMARY:**

Repeals obsolete provisions pertaining to the interim San Diego County Regional Airport Authority board. Makes a technical corrective change. Amends the San Diego County Regional Airport Act to explicitly restate the applicability of the Ralph M. Brown Act to the Authority.

**STATUS:**

05/16/2005 To ASSEMBLY Committee on LOCAL GOVERNMENT.

**Subject:** Transport

CA SB 172

**AUTHOR:** Torlakson (D)  
**TITLE:** Bay Area State-Owned Toll Bridge: Financing  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/09/2005  
**LAST AMEND:** 05/27/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Transportation Committee  
**SUMMARY:**

Requires the seismic retrofit surcharge on bay area toll bridges to be paid into the Bay Area Toll Account. Requires the Bay Area Toll Authority to amend its agreement with the Department of Transportation to specify the respective duties of each agency with respect to the seismic retrofit and other bridge construction projects. Requires the authority and department to form a Toll Bridge Program Board of Control to review those projects.

**STATUS:**

06/13/2005 To ASSEMBLY Committee on TRANSPORTATION.

**Position:** SCAG-Watch 05/05/2005

**Subject:** Revenue/Bond, Transport

CA SB 275

**AUTHOR:** Torlakson (D)  
**TITLE:** Transportation Needs Assessment  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/16/2005  
**LAST AMEND:** 06/09/2005  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Transportation Committee  
**SUMMARY:**

Requires the Transportation Commission, working with the Department of Transportation and regional transportation planning agencies in cooperation with the League of California Cities and the California Association of Counties, to submit a 10-year needs assessment to the Legislature on the state's transportation system.

**STATUS:**

06/09/2005 To ASSEMBLY Committee on TRANSPORTATION.

06/09/2005 From ASSEMBLY Committee on TRANSPORTATION with author's amendments.

06/09/2005 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.

**Subject:** Transport

CA SB 680

**AUTHOR:** Simitian (D)  
**TITLE:** Congestion Management and Transportation Improvements  
**INTRODUCED:** 02/22/2005

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**LAST AMEND:** 04/12/2005  
**DISPOSITION:** Pending  
**COMMITTEE:** Assembly Local Government Committee  
**HEARING:** 06/22/2005 1:30 pm  
**SUMMARY:**

Authorizes the Santa Clara Valley Transportation Authority to impose an annual fee of up to \$5 on each motor vehicle registered within Santa Clara County for a program for the management of traffic congestion and for specified street, road, expressway, and transit purposes. Requires a 2/3 vote of the board for adoption as part of the resolution imposing the fee.

**STATUS:**

06/13/2005 To ASSEMBLY Committees on LOCAL GOVERNMENT and TRANSPORTATION.

**Subject:** Transport

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CA SB 760

**AUTHOR:** Lowenthal (D)  
**TITLE:** Ports: Congestion Relief: Security Enhancement  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/22/2005  
**LAST AMEND:** 05/27/2005  
**DISPOSITION:** Pending  
**COMMITTEE:** Assembly Transportation Committee  
**HEARING:** 06/20/2005 1:30 pm  
**SUMMARY:**

Imposes on each shipping container processed in the Port of Los Angeles or the Port of Long Beach a fee of \$30 per twenty-foot equivalent unit, payable by the marine terminal operator processing the container to the port where the marine terminal is located. Requires each port to retain 1/3 of the funds derived from imposition of the fee and transmit the remaining 2/3 in the amount of 1/2 due to the Port Congestion Relief Trust Fund and 1/2 to the South Coast Air Quality Management District.

**STATUS:**

06/13/2005 To ASSEMBLY Committees on TRANSPORTATION and NATURAL RESOURCES.

**COMMENTARY:**

RC's comments provided to author

**Position:** SCAG-Watch

**Subject:** Transport

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CA SB 762

**AUTHOR:** Lowenthal (D)  
**TITLE:** Vehicular Sources: Intermodal Port Congestion  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/22/2005  
**LAST AMEND:** 05/27/2005  
**DISPOSITION:** Pending  
**COMMITTEE:** Assembly Transportation Committee  
**HEARING:** 06/20/2005 1:30 pm  
**SUMMARY:**

Establishes the Los Angeles-Long Beach Area Regional Intermodal Port Congestion and Environmental Quality Commission and Oakland Area Regional Intermodal Port Congestion and Environmental Quality Commission. Requires these entities to grant to each motor carrier a port permit for authority to enter a specific port for pick up and delivery of intermodal freight for its truck fleet using specified criteria including engine emission standards. Permits regulations regarding port permits.

**STATUS:**

06/13/2005 To ASSEMBLY Committees on TRANSPORTATION and ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.

**Subject:** Transport

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CA SB 851

**AUTHOR:** Murray (D)  
**TITLE:** L.A. County Metropolitan Transportation Authority  
**INTRODUCED:** 02/22/2005  
**LAST AMEND:** 05/10/2005  
**DISPOSITION:** Pending  
**COMMITTEE:** Assembly Local Government Committee

**HEARING:** 06/22/2005 1:30 pm**SUMMARY:**

Makes conforming changes relative to existing law that creates the Los Angeles County Metropolitan Transportation Authority. Establishes an alternative procedure for the Los Angeles County Metropolitan Transportation Authority to utilize in the procurement of goods and services.

**STATUS:**

06/13/2005 To ASSEMBLY Committees on LOCAL GOVERNMENT and TRANSPORTATION.

**Subject:** Transport

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**SPONSOR:** Young D (R)**TITLE:** Highway Program Funds**INTRODUCED:** 02/09/2005**LAST AMEND:** 05/17/2005**DISPOSITION:** Pending**LOCATION:** Conference Committee**SUMMARY:**

Authorizes funds for Federal-aid highways, highway safety programs, and transit programs.

**STATUS:**

05/26/2005 In SENATE. SENATE insists on its amendments and requests a conference.

05/26/2005 \*\*\*\*\*To CONFERENCE Committee.

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